

**DENTISTRY EXAMINING BOARD  
MADISON, WI  
MINUTES  
MARCH 1, 2006**

**PRESENT:** Lori Barbeau, DDS; Bruce Barrette, DDS; Linda Bohacek, RDH; David Carroll, RDH; Keith Clemence, DDS; Judith Ficks; Wilber Gill, DDS; Karen Jahimiak, DDS; Nanette Kosydar Dreves, RDH; Richard Strand, DDS; and Anne N. Taylor

**APPOINTEES**

**PRESENT:** Blane Christman, DDS, Adriana Jaramillo, DDS, and Kirk Ritchie, DDS

**STAFF PRESENT:** Tom Ryan, Bureau Director; Dennis Schuh, Legal Counsel; PJ Monson, Bureau Assistant; and other DRL staff

**GUESTS:** L.S. Brysh, DDS; Eva Dahl, DDS and Ned Murphy, DDS, Mara Brooks, Wisconsin Dental Association; Angie Stone, RDH, and Shirley Gutkowski, RDH, Wisconsin Dental Hygienist Association; Joyce Hart, Wisconsin Medical Society; Heather Berger

**CALL TO ORDER**

Chair Dr. Bruce Barrette called the meeting to order at 8:32 a.m. A quorum of 11 members was present.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was recited.

**APPROVAL OF AGENDA**

**Additions to agenda**

- Item D – 2005 Senate Bill 578
- Between Item E&F - CPR Discussion

**Deletions from the agenda**

- Item G – Application review – James Collins, DDS
- Between Item H and I - Deliberation of variance in the case of Jan Bublik, DDS

**MOTION:** Nanette Kosydar Dreves moved, seconded by Judith Ficks, to approve the agenda with amendments. Motion carried unanimously.

## **MODIFICATION OF JANUARY 11, 2006 MEETING AGENDA**

### **Modification of Agenda:**

- Items K, L, and M - are not disciplinary proceedings and should be listed as review of applications.

**MOTION:** David Carroll moved, seconded by Keith Clemence, to approve the modified January 11, 2006 agenda. Motion carried unanimously.

## **APPROVAL OF MINUTES OF JANUARY 11, & 18, 2006**

### **Amendments to minutes:**

- Dennis McGuire, a listed guest, is not a DDS
- Karen Jahimiak is listed as Ms. on page 5 of 9
- Adriana Jaramillo was present and should be listed as a guest. Kirk Ritchie was not present.

**MOTION:** Judith Ficks moved, seconded by Wilber Gill, to approve the January 11 and January 18, 2006 minutes as amended. Motion carried unanimously.

### **Appointments to Liaison, Committee and Panel Posts:**

Bruce Barrette appointed the following:

Credentialing Liaison – Karen Jahimiak, Nanette Kosydar Dreves, Richard Strand,  
Screening Panel - David Carroll, Keith Clemence Wilber Gill  
CRDTS Steering Committee – Richard Strand  
Dental ERC – Bruce Barrette  
Dental Hygiene ERC - Nanette Kosydar Dreves  
Legislative Liaison – Wilber Gill  
IPP Contact - Judith Ficks

## **ADMINISTRATIVE REPORT**

### **Annual Policy review with Board**

Tom Ryan reviewed the 2006 travel and meeting information for the Board members and suggested it be read and kept for future reference. Discussion of travel expenses and the authorization of travel took place.

### **Board Member Orientation – March 17, 2006**

Tom Ryan reminded the Board of the upcoming New Board Member Orientation.

**PRESENTATION OF PROPOSED STIPULATIONS,  
FINAL DECISIONS AND ORDERS**

Attorney Michael Berndt, DOE, and Heather Berger, RDH, appeared before the Board to present the Proposed Stipulation, Final Decision and Order in the matter concerning Heather Berger, RDH.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND  
ORDERS RECEIVED AFTER MAILING OF AGENDA**

None.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES,  
AND ADMINISTRATIVE RULES**

Dennis Schuh stated that a public hearing is scheduled on May 3, 2006 regarding Dental Hygienists use of local anesthesia by applicator.

**LRB-1965/P5 – relating to confidentiality of health care review records and  
immunity**

LRB 1965/P5 is now 2005 Senate Bill 578. Michael Berndt, Division of Enforcement (DOE), addressed the Board with regard to peer review and the legislation.

**Clearinghouse Rule 04-095 relating to anesthesia regulation**

The Committee report indicates partial objection was recommended on a 5-0 vote by the Senate Health Committee and is currently waiting for a vote in the Assembly.

**Letter to Chairperson Carol Roessler and Senate Health Committee Members**

A letter to the Senate Health Committee from Bruce Barrette regarding the anesthesia rule was reviewed.

**MOTION:** Keith Clemence moved, seconded by Wilber Gill, to put the letter on the website and use the information as an article in the digest.  
Motion carried unanimously.

**CPR Discussion**

Nanette Kosydar Dreves explained the CPR handout which illustrated the on-line availability of courses and reinforced the Board position regarding hands on training for dental credential holders.

### **Budget Recommendations and Discussion**

Richard Strand addressed the Board with a recap of the January agenda budget discussion.

**MOTION:** Richard Strand moved, seconded by Wilber Gill, citing Wis. Stat. § 16.152, to request of the Joint Finance Committee by DRL publication of the regulatory digest for \$16,000 (of that \$16,000, postage is \$3,000, printing \$5,000, leaving \$8000 for a second mailing) and for travel for formulation the national exam of \$12,000, for a total request from the Joint Finance Committee of \$28,000. Also, to request a written response from the department as to the action it takes on this motion. Motion carried unanimously.

**MOTION:** Richard Strand moved, seconded by Nanette Kosydar Dreves, to authorize the chair to write a letter to the chair of the Joint Finance Committee with an explanation of this request. Motion carried unanimously.

### **Subcommittee on Foreign Trained Dentists - Recommendations and Discussion**

**MOTION:** Wilber Gill moved, seconded by Nanette Kosydar Dreves, to accept the subcommittee proposed scope statement recommendation requiring foreign trained graduates seeking licensure in Wisconsin to attend an accredited dental school in the United States or Canada for a minimum of 2 years and graduate with a doctor of dental surgery (DDS) or a doctor of dental medicine degree (DMD), or attend an accredited dental school in a country other than United States or Canada and graduate with a degree from that school. Motion carried unanimously. Lori Barbeau abstained.

**MOTION:** Wilber Gill moved, seconded by Nanette Kosydar Dreves, to adopt an emergency rule requiring foreign trained graduates seeking licensure in Wisconsin to attend an accredited dental school in the United States or Canada for a minimum of 2 years and graduate with a doctor of dental surgery (DDS) or a doctor of dental medicine degree (DMD), or attend an accredited dental school in a country other than United States or Canada and graduate with a degree from that school. Motion carried unanimously. Lori Barbeau abstained.

Lori Barbeau noted for the record that she was abstaining from the motions because they do not recognize accredited residency training as a route to licensure.

## **WEBSITE POSITION PAPER(S)**

### **Sargenti Technique and CPR**

**MOTION:** Nanette Kosydar Dreves moved, seconded by Judith Ficks, to accept the amended CPR and Sargenti Technique position papers and post them to the website. Motion carried unanimously.

Nanette Kosydar Dreves will make revisions and forward the revised draft to the department for posting on the website.

### **Regulatory Digest**

Nanette Kosydar Dreves will initiate a regulatory digest for posting on the website and welcomed suggestions for articles.

## **CREDENTIALING COMMITTEE REPORT**

Richard Strand reported that five Dentists and two Dental Hygienists were licensed at today's credentialing meeting for a total of 10 Dentists and 8 Hygienists to date.

Lori Barbeau asked that the record reflect her suggestion that the Board should have used the effective date of the examination rather than the effective date that the application is received in the department when making the September 28 and November 30, 2005 motions regarding the additional requirements of WREB dental applicants. She suggests the Board reconsider and change the effective date to that of the examination date rather than the date of application.

## **CRDTS REPORT**

Richard Strand stated there will be a meeting in Kansas City on Friday. He also updated the Board on how other states are handling their examinations. Hawaii, South Carolina and Georgia joined CRDTS. Florida has intentions to become apart of ADEX and California has not taken a position at this time. Nebraska and Illinois have ceased recognition of WREB.

## **AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE) AND AMERICAN BOARD OF DENTAL EXAMINERS (ADEX) REPORT**

Bruce Barrette stated that the AADE midwinter meeting is in two weeks in Chicago and he encouraged attendance. The first annual ADEX meeting will be the day following the AADE meeting in Chicago.

## **INFORMATIONAL ITEMS**

Noted.

### **INVITATION OF NEW APPOINTMENT(S) INTO CLOSED SESSION**

**MOTION:** Linda Bohacek moved, seconded by Karen Jahimiak, to invite the new appointees into closed session. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Judith Ficks moved, seconded by David Carroll, to convene to Closed session to deliberate on cases following hearing (Wis. Stat. § 19.85(1)(a)), to consider licensure or discipline (Wis. Stat. § 19.85(1)(b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1)(f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1)(g)). Motion carried by roll call vote: Lori Barbeau-yes; Bruce Barrette-yes; Linda Bohacek-yes; David Carroll-yes; Keith Clemence-yes; Judith Ficks-yes; Wilber Gill-yes; Karen Jahimiak-yes; Nanette Kosydar Dreves-yes; Richard Strand-yes; Anne N. Taylor-yes.

Open session recessed at 10:38 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** David Carroll moved, seconded by Karen Jahimiak, to reconvene into open session at 11:32 a.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

### **DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

#### **HEATHER BERGER, RDH**

**MOTION:** Karen Jahimiak moved, seconded by Lori Barbeau, to accept the proposed stipulation, final decision and order in the matter of disciplinary proceedings against Heather Berger, RDH. Motion carried unanimously. Nanette Kosydar Dreves was not present for deliberations and did not vote.

**MONITORING**

**GREGG SEYLER, DDS  
REQUESTING THREE MONTH STAY WITH MODIFICATIONS**

**MOTION:** Nanette Kosydar Dreves moved, seconded by Keith Clemence, to grant the three month stay and deny the request of modifications for Gregg Seyler, DDS. Motion carried unanimously.

Judith Ficks explained the IPP program and handed out a brochure offered by the department. She noted the program has been effective and successful.

**CASE CLOSINGS**

**04 DEN 087**

**MOTION:** Keith Clemence moved, seconded by Karen Jahimiak, to close case **04 DEN 087** for no violation. Motion carried unanimously.

**03 DEN 134**

**MOTION:** Wilber Gill moved, seconded by Linda Bohacek, to close case **03 DEN 134** for no violation. Motion carried unanimously. Judith Ficks abstained.

**ADJOURNMENT**

**MOTION:** Linda Bohacek moved, seconded by Nanette Kosydar Dreves, to adjourn the meeting at 11:34 a.m. Motion carried unanimously.

**NEXT DEB MEETING: MAY 3, 2006.**